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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

IN REPLY REFER TO:
7330-7/1700A3

Honorable Romano Mazzoli
U.S. House of Representatives
2246 Rayburn Building
Washington, D.C. 20515

Dear Congressman Mazzoli:

This is in reply to your letter of February 10, 1993, in which you inquired on behalf of your constituent, Paul Kern, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Kern is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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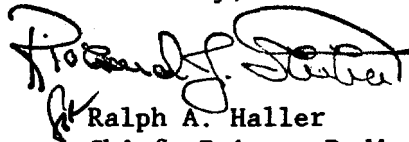
Honorable Romano Mazzoli

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:

Chief, PRBureau

Chief, LM&M Divison

Docket Files, Room 222

P&P Branch File (Pink)

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CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/16/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
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TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Romano Mazzoli	BC

CONSTITUENT'S NAME	SUBJECT
Paul Kern	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/Lmr			
5-17-93			
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02/16/93			

REMARKS:

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U.S. HOUSE OF REPRESENTATIVES
PRIVATE RADIO BUREAU
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Congress of the United States

House of Representatives

Washington, DC 20515-1703

February 10, 1993

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Mr. Terry Haynes
Chief of Staff
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Mr. Haynes:


Enclosed is a copy of a letter I have received from a constituent, Mr. Paul Kern, of Louisville, Kentucky.

Specifically, Mr. Kern has expressed concerns about a Federal Communications Commission (FCC) proposed rule which would reduce frequencies available for model aviation.

I certainly would appreciate any information you may have on this matter which would enable me to better respond to Mr. Kern. Please direct your reply to my Washington office.

Thanks, in advance, for your time and attention to this matter. With all best wishes and regards.

Sincerely,


ROMANO L. MAZZOLI
Member of Congress

RLM:dma
Enclosure

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January 27, 1993

The Honorable Romano Mazzoli
United States House of Representatives
Washington, DC 20515

Dear Representative Mazzoli:

I have been interested in model aviation as well as full scale flying for a long time. Currently I am Vice President of the River City Radio Controllers, a local AMA sanctioned club here in Louisville. There are over 150 members in this organization. All of us are very sensitive to issues that impact the enjoyment of our sport.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will generally reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model planes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model planes, only 19 will be left if the new rules are adopted.

When we fly our model planes under radio control, we go to great lengths to assure the safety of the operators and spectators and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety greatly reduced.

Representative Romano Mazzoli
January 27, 1993

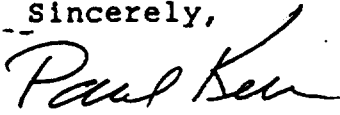
Page 2.

Please understand that many model planes have wingspans of up to 10 feet and weigh as much as 30-40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the aircraft. We often fly our planes at organized events and contests where hundreds of operators participate. We need the full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and radio equipment as well as the investment in the club flying site. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,



Paul Kern
Vice President
River City Radio Controllers
11015 Brechin Road
Louisville, KY 40243